

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Jacob Ryan Warner,)	Case No. 1:22-cr-133
)	
Defendant.)	

The court ordered Defendant detained following a detention hearing on August 10, 2022. (Doc. No. 20). He is being housed at the Heart of America Correctional & Treatment Center in Rugby, North Dakota. On March 24, 2023, he filed a motion requesting to be released to Sara Wommba for transport to Providence House, an inpatient treatment facility in Arnegard, North Dakota.

On March 27, 2023, the court issued an order granting Defendant's motion. (Doc. No. 44). However, upon learning that Sara Wommba would not be able to transport Defendant to Providence House as anticipated, the court vacated its March 27, 2023, order with the understanding that Defendant could renew his motion for release at a later date. (Doc. No. 46). Hours after vacating its March 27, 2023, order, the Pretrial Services Office contacted the court to advise that Providence House has staff that can and will transport Defendant. In addition, Defendant filed a renewed motion for release, confirming that Providence House staff can transport him. (Doc. No. 47).

The court **GRANTS** Defendant's renewed motion. (Doc. No. 47). Defendant shall be released no earlier than 10:00 AM on March 29, 2023, to a staff member of Providence House for

transport to Providence House. Defendant's release shall be subject to the following conditions:

- (1) Defendant shall not violate federal, state, tribal, or local law while on release.
- (2) Defendant shall appear in court as required and surrender for any sentence imposed.
- (3) Defendant shall refrain from the use of alcohol; any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 or state statute, unless prescribed by a licensed medical practitioner, and any use of inhalants. Defendant shall submit to drug/alcohol screening at the direction of the Pretrial Services Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection progress or specimen may be considered the same as a positive test.
- (4) Defendant shall report to the Pretrial Services Officer at such times and in such manner as designated by the Officer.
- (5) Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
- (6) Defendant shall not knowingly or intentionally have any direct or indirect contact with witnesses or co-defendant, except that counsel for Defendant, or counsel's agent or authorized representative, may have such contact with such person(s) as is necessary in the furtherance of Defendant's legal defense.
- (7) Defendant shall reside at Providence House, fully participate in its programming, and comply with all of its rules and regulations.
- (8) Defendant must sign all release forms to allow the Pretrial Services Officer to obtain information from the treatment facility OR to communicate with facility staff about his progress in the program.

Any passes allowed by the treatment facility must be approved by the Pretrial Services Officer.

If for any reason Defendant is terminated from the treatment program, he must immediately report to the United States Marshal.

At least 96 hours prior to anticipated completion of the treatment program, Defendant must advise the Pretrial Services Officer of his anticipated completion date so the Court may schedule a hearing to review his release status.

- (9) Defendant shall submit his person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of pretrial release. Defendant shall notify any other residents that the premises may be subject to searches pursuant to this condition.
- (10) Except upon prior approval from the Pretrial Services Officer, Defendant's travel is restricted to the State of North Dakota.
- (11) Upon arriving at Providence House, Defendant shall immediately call Pretrial Services Officer Lexus Williamson at (701) 297-7223.
- (12) Defendant must report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

IT IS SO ORDERED.

Dated this 28th day of March, 2023.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court